

## Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03  
NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 OMB-01  
DHA-02 IO-13 /072 W  
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R 110818Z MAR 77  
FM AMEMBASSY DACCA  
TO SECSTATE WASHDC 3825  
INFO AMCONSUL CALCUTTA  
AMEMBASSY ISLAMABAD  
AMEMBASSY NEW DELHI

C O N F I D E N T I A L DACCA 1279

E.O. 11652: GDS  
TAGS: PINT, BG, SHUM  
SUBJ: MUSHTAQUE ACQUITTED IN SECOND CASE

REF: DACCA 1003

1. IN A SURPRISE MOVE, THE SPECIAL MARTIAL LAW COURT TRYING FORMER PRESIDENT KHANDAKAR MUSHTAQUE AHMED CONCLUDED THAT HE WAS NOT GUILTY ON CHARGES OF CORRUPTION AND ABUSE OF OFFICIAL POSITION WHILE PRESIDENT OF BANGLADESH. MAULANA MONIROZZAMAN, A TEACHER OF THE MUSLIM SCHOOL AT MUSHTAQUE'S FAMILY HOME AND A CO-DEFENDENT IN THE SAME CASE, WAS ALSO FOUND NOT GUILTY AND ACQUITTED.

2. AFTER ONLY THREE DAYS OF HEARINGS, THE COURT CONCLUDED THAT MUSHTAQUE, ALTHOUGH COMMITTING SOME "IRREGULARITIES AMOUNTING TO AN OFFENSE," HAD CONTRIBUTED CONSIDERABLY DURING THE LIBERATION WAR AND THEREFORE DESERVED TO BE ACQUITTED IN THIS CASE.

3. COMMENT: THE COURT'S DECISION CAME AS A SURPRISE TO ALMOST EVERYONE IN DACCA AND ITS RATIONALE FOR ACQUITTAL  
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IS STRANGE TO SAY THE LEAST. APPARENTLY HIS SERVICES AS A LIBERATION LEADER MAY LIMIT HIS TIME IN JAIL TO FIVE YEARS. IT WAS COMMONLY BELIEVED AFTER THE FIRST TRIAL THAT MUSHTAQUE WAS BEING RAILROADED BY THE MLA AND WOULD BE PUT AWAY INDEFINITELY AS THE RESULT OF A SERIES OF TRIALS. AT LEAST A FEW OBSERVERS HAVE SUGGESTED THAT MUSHTAQUE'S INCARCERATION WOULD MAKE HIM A MARTYR AND INCREASE HIS

POPULARITY, BUT WE HAVE DETECTED LITTLE POPULAR SUPPORT  
FOR HIM. AT THE MOMENT, THERE IS NO INDICATION THAT A  
THIRD TRIAL WILL BE BROUGHT, ALTHOUGH A POSSIBILITY  
EXISTS THAT HIS COMPLICITY, IF ANY, IN THE NOVEMBER, 1975,  
MURDERS IN DACCA CENTRAL JAIL MAY STILL BE EXAMINED.  
MASTERS

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NNN

## Message Attributes

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**Disposition Approved on Date:**  
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**Disposition Date:** 22 May 2009  
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**Disposition History:** n/a  
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**Executive Order:** GS  
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**TAGS:** PINT, SHUM, BG, (AHMAD, KHONDAKAR MUSHTAQUE)  
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**Review Markings:**  
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